



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,323	10/23/2003	Mark A. Alcazar	MS1-1800US	8608
22801	7590	03/08/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER CHEN, QING	
			ART UNIT	PAPER NUMBER
			2191	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/08/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/08/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

## Office Action Summary

Application No.

10/692,323

Applicant(s)

ALCAZAR ET AL.

Examiner

Qing Chen

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20061218.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office action is in response to the amendment filed on January 4, 2007.
2. **Claims 1-26** are pending.
3. **Claims 1-26** have been amended.
4. The objection to the oath/declaration due to claims for domestic priority is withdrawn in view of Applicant's arguments. However, the objection to the oath/declaration due to the misspelled name of the second inventor is maintained in view of Applicant's arguments and further explained below.
5. The objection to the drawings due to informalities is withdrawn in view of Applicant's amendments to the drawings. However, Applicant's amendments to the drawings and specification fail to fully address the objection due to reference characters not mentioned in the description. Accordingly, this objection is maintained and further explained below.
6. The objections to the abstract are withdrawn in view of Applicant's amendments to the abstract.
7. The objections to the specification are withdrawn in view of Applicant's amendments to the specification.
8. The 35 U.S.C. § 112, second paragraph, rejection of Claim 2 is withdrawn in view of Applicant's amendments to the claims.
9. The 35 U.S.C. § 101 rejections of Claims 1-26 are withdrawn in view of Applicant's amendments to the claims.

***Response to Amendment***

***Oath/Declaration***

10. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The name of the second inventor on the second page of the declaration is misspelled. It should presumably read -- Micheal Dunn -- instead of -- Michael Dunn --.

***Drawings***

11. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Reference number “200” in Figure 2;
- Reference numbers “608” and “614” in Figure 6; and
- Reference number “816” in Figures 8 and 9.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application.

The drawings are objected to because the word “Markup” is misspelled in Figure 10, Element 816. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the Examiner, the Applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

12. The disclosure is objected to because of the following informalities:

- The specification contains a typographical error: the name of the second inventor on page 1, line 13 is misspelled. It should presumably read -- Micheal Dunn -- instead of -- Michael Dunn --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. **Claims 1-8, 12, 15, 16, 18-22, and 24-26** are rejected under 35 U.S.C. 102(e) as being anticipated by **Schmidt et al.** (US 6,546,554).

As per **Claim 1**, **Schmidt et al.** disclose:

- a component configured to obtain manifest metadata about the application for the purpose of installing the application on the local computing system (*see Column 6: 3-11, "... the JNet helper application 420 is registered with browser 410 such that the JNet helper application 420 is invoked when browser 410 encounters a metafile having the new Java Net Launcher (".jnl," or "JNL") file format."*); and
- an application programming interface to access the component, wherein the application programming interface enables the application to be installed on the local computing system without a dedicated installation phase during which the application is unavailable for use (*see Column 14: 49-56, "Using the JNet helper application according to aspects of the present invention, portal sites could provide this kind of service using the latest Java™-technology, and the service would be instantly available to all users on all major platforms. The present invention*

Art Unit: 2191

*also eliminates the installation step that is typically required when dealing with native applications. ").*

As per **Claim 2**, the rejection of **Claim 1** is incorporated; and Schmidt et al. further disclose:

- wherein the component is further configured to retrieve from the manifest metadata a set of information sufficient to describe the application (*see Column 6: 8-11, "... the term "metafile" refers to a file which describes or defines aspects or components of an application. ").*

As per **Claim 3**, the rejection of **Claim 1** is incorporated; and Schmidt et al. further disclose:

- wherein the application programming interface receives a parameter that identifies the application (*see Column 6: 39-43, "... to enable the automatic launching of helper applications in a web-browser on the client computer, the web-server must provide the correct "mime-type" for the kind of file it is sending to the client. ").*

As per **Claim 4**, Schmidt et al. disclose:

- a component configured to query the local computing system to determine whether a platform necessary to the application is present on the local computing system (*see Column 6: 18-27, "... the JNet helper application 420 is designed to find the current proxy settings and related options from an already installed browser, and it searches the client system 10 to determine which JRE's if any, are installed. "); and*

- an application programming interface to access the component, wherein the application programming interface enables the application to be installed on the local computing system without a dedicated installation phase during which the application is unavailable for use (*see Column 14: 49-56, "Using the JNet helper application according to aspects of the present invention, portal sites could provide this kind of service using the latest Java™-technology, and the service would be instantly available to all users on all major platforms. The present invention also eliminates the installation step that is typically required when dealing with native applications."*).

As per **Claim 5**, the rejection of **Claim 4** is incorporated; and Schmidt et al. further disclose:

- wherein the platform comprises one or more software modules upon which the application depends that are not a part of the application (*see Column 7: 66-67 through Column 8: 1, "... the JNet helper application parses the JNL metafile to identify the components necessary to install and launch the application described in the JNL metafile."*).

As per **Claim 6**, the rejection of **Claim 5** is incorporated; and Schmidt et al. further disclose:

- wherein the platform further comprises one or more software modules that cannot be installed as part of the installation of the application (*see Column 7: 1-9, "... the JNL helper application downloads any such components not already installed on the client computer to the client computer ..."*).



As per **Claim 7**, the rejection of **Claim 4** is incorporated; and Schmidt et al. further disclose:

- wherein the platform is identified in an application manifest associated with the application (*see Column 7: 66-67 through Column 8: 1, "... the JNet helper application parses the JNL metafile to identify the components necessary to install and launch the application described in the JNL metafile."*).

As per **Claim 8**, the rejection of **Claim 4** is incorporated; and Schmidt et al. further disclose:

- wherein the component is further configured to verify a version associated with the platform (*see Column 9: 12-14, "... the JNet helper application can select the JRE version specified in the JNL metafile independently for each invocation of the JNet helper application."*).

As per **Claim 12**, Schmidt et al. disclose:

- a component configured to determine whether the application is authorized for installation on the local computing system (*see Column 7: 38-46, "... JNL metafiles contain information concerning ... security information (e.g., whether the application should run in a secure sandbox) ..."*); and
- an application programming interface to access the component, wherein the application programming interface enables the application to be installed on the local computing system without a dedicated installation phase during which the application is unavailable for use

Art Unit: 2191

*(see Column 14: 49-56, "Using the JNet helper application according to aspects of the present invention, portal sites could provide this kind of service using the latest Java™ technology, and the service would be instantly available to all users on all major platforms. The present invention also eliminates the installation step that is typically required when dealing with native applications.").*

As per **Claim 15**, the rejection of **Claim 12** is incorporated; and Schmidt et al. further disclose:

- wherein the determination of the authorization comprises determining whether the installation of the application violates a license associated with the application *(see Column 14: 9-15, "... depending on each particular implementation and user configuration, these prompts may include asking the user to ... indicate acceptance of license terms.").*

As per **Claim 16**, the rejection of **Claim 12** is incorporated; and Schmidt et al. further disclose:

- wherein the component is further configured to generate a set of authorization parameters for the application if the application is authorized for installation *(see Column 15: 60-64, "... an application could be allowed to use part of the file system as a cache, or to have access to stored local-state in a manner similar to browser cookies. Also, code signing can be supported, so that users can verify the origins of an application.").*

As per **Claim 18**, Schmidt et al. disclose:

Art Unit: 2191

- a component configured to determine if a version of the application already exists on the local computing system, and if not, to download at least one resource associated with the application from a remote location (*see Column 6: 11-17, "If multiple JRE's are installed on the client computer 10, the JNet helper application 420 can select the appropriate JRE 430 to use for a given application based on information provided in the JNL metafile. If the appropriate JRE has not been installed on the client computer 10, the JNet helper application 420 can automatically download and install the appropriate JRE from a trusted source."*); and
- an application programming interface to access the component, wherein the application programming interface enables the application to be installed on the local computing system without a dedicated installation phase during which the application is unavailable for use (*see Column 14: 49-56, "Using the JNet helper application according to aspects of the present invention, portal sites could provide this kind of service using the latest Java™-technology, and the service would be instantly available to all users on all major platforms. The present invention also eliminates the installation step that is typically required when dealing with native applications."*).

As per **Claim 19**, the rejection of **Claim 18** is incorporated; and Schmidt et al. further disclose:

- wherein the resource is sufficient to launch the application (*see Column 5: 56-61, "... the presence of at least one JRE in client computer 10 that is separate from any JRE's that may be incorporated into a Java™-enabled browser enables browser-independent execution of Java applications ..."*).

As per **Claim 20**, the rejection of **Claim 18** is incorporated; and Schmidt et al. further disclose:

- wherein the component is further configured to replicate the application to a temporary storage location at the local computing system (*see Column 12: 31-33, "... JNet can easily and securely cache applications on the local hard disk or other local storage medium for fast reactivation."*).

As per **Claim 21**, the rejection of **Claim 18** is incorporated; and Schmidt et al. further disclose:

- wherein the component is further configured to commit the downloaded at least one resource to storage on the local computing system and is made available for binding (*see Column 3: 50-52, "Code to implement the present invention may be operably disposed in system memory 16 or stored on storage media such as fixed disk 34 or floppy disk 38."*).

As per **Claim 22**, Schmidt et al. disclose:

- a component configured to execute the application on the local computing system after a successful determination that any necessary platform for the application is present on the local computing system and sufficient resources to launch the application are present on the local computing system, the resources being associated with the application (*see Column 8: 13-21, "... once all the components required to install and launch the requested application have been*

Art Unit: 2191

*obtained, the JNet helper application installs the requested application on the client computer ...*

*" and "... the JNet helper application launches the requested application ... "); and*

- an application programming interface to access the component, wherein the application programming interface enables the application to be installed on the local computing system without a dedicated installation phase during which the application is unavailable for use (*see Column 14: 49-56, "Using the JNet helper application according to aspects of the present invention, portal sites could provide this kind of service using the latest Java™-technology, and the service would be instantly available to all users on all major platforms. The present invention also eliminates the installation step that is typically required when dealing with native applications."*).

As per **Claim 24**, the rejection of **Claim 22** is incorporated; and Schmidt et al. further disclose:

- wherein execution occurs in a secure execution environment (*see Column 1: 44-47, "... a Java™ application may be run in a "sandbox" that prevents it from causing any harm or from gaining access to private information stored on a user's system or local network."*).

As per **Claim 25**, the rejection of **Claim 22** is incorporated; and Schmidt et al. further disclose:

- wherein execution occurs in a separate process from a calling entity responsible for the installation of the application (*see Column 8: 18-21, "... the JNet helper application*

Art Unit: 2191

*launches the requested application as a process that is separate from the browser process which the JNet helper application had been invoked at step 540."*

As per **Claim 26**, the rejection of **Claim 22** is incorporated; and Schmidt et al. further disclose:

- wherein execution occurs in the same process as a calling entity responsible for the installation of the application (*see Column 7: 61-63, "... the JNet helper application is invoked by the browser ..."*).

#### ***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. **Claims 9-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (US 6,546,554) in view of Chen et al. (US 6,496,979).

As per **Claim 9**, the rejection of **Claim 4** is incorporated; however, Schmidt et al. do not disclose:

- wherein the component is further configured to abort the installation of the application if the platform is not present.

Chen et al. disclose:

- wherein the component is further configured to abort the installation of the application if the platform is not present (*see Column 11: 43-51, "... the installer module 99 can provide an indication to the user that the setup package file contains files that were compiled for a mobile device different than the current one and let the user continue or cancel the installation."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chen et al. into the teaching of Schmidt et al. to include wherein the component is further configured to abort the installation of the application if the platform is not present. The modification would be obvious because one of ordinary skill in the art would be motivated to resolve problems before the application setup program is in its final product state (*see Chen et al. – Column 2: 21-28*).

As per **Claim 10**, the rejection of **Claim 9** is incorporated; however, Schmidt et al. do not disclose:

- wherein the component is further configured to return error information in conjunction with aborting the installation of the application.

Chen et al. disclose:

- wherein the component is further configured to return error information in conjunction with aborting the installation of the application (*see Column 10: 55-61, "... determines that the map viewer is not installed and displays an error message ..."*).

Art Unit: 2191

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chen et al. into the teaching of Schmidt et al. to include wherein the component is further configured to return error information in conjunction with aborting the installation of the application. The modification would be obvious because one of ordinary skill in the art would be motivated to provide debugging information.

As per **Claim 11**, the rejection of **Claim 10** is incorporated; however, Schmidt et al. do not disclose:

- wherein the error information comprises identification information about which platform was not present on the local computing system.

Chen et al. disclose:

- wherein the error information comprises identification information about which platform was not present on the local computing system (*see Column 10: 60-65, "... the installer module 99 did not need to unpack the setup package file ... before finding out that the map viewer was not installed."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Chen et al. into the teaching of Schmidt et al. to include wherein the error information comprises identification information about which platform was not present on the local computing system. The modification would be obvious because one of ordinary skill in the art would be motivated to provide useful debugging information on what the missing software program is.



17. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (US 6,546,554) in view of Kouznetsov et al. (US 6,931,546).

As per **Claim 13**, the rejection of **Claim 12** is incorporated; however, Schmidt et al. do not disclose:

- wherein the determination of the authorization comprises determining whether the installation of the application exceeds a trust level associated with a source of the application.

Kouznetsov et al. disclose:

- wherein the determination of the authorization comprises determining whether the installation of the application exceeds a trust level associated with a source of the application (*see Column 4: 35-38, "The agent includes methods for authenticating any received requests and will only forward a request to the privileged process upon determining that the requesting application has sufficient trust."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kouznetsov et al. into the teaching of Schmidt et al. to include wherein the determination of the authorization comprises determining whether the installation of the application exceeds a trust level associated with a source of the application. The modification would be obvious because one of ordinary skill in the art would be motivated to guard access to privileged processes (*see Kouznetsov et al. – Column 3: 43-44*).

18. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (US 6,546,554) in view of Barzilai et al. (US 2002/0104015).

As per **Claim 14**, the rejection of **Claim 12** is incorporated; however, Schmidt et al. do not disclose:

- wherein the determination of the authorization comprises determining whether the installation of the application violates a privacy policy associated with the local computing system.

Barzilai et al. disclose:

- wherein the determination of the authorization comprises determining whether the installation of the application violates a privacy policy associated with the local computing system (*see Paragraph [0072], "An application request handler 50 receives and processes information requests from application 36 and returns information that is provided by personal information engine 44, to the extent permitted by privacy policies."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Barzilai et al. into the teaching of Schmidt et al. to include wherein the determination of the authorization comprises determining whether the installation of the application violates a privacy policy associated with the local computing system. The modification would be obvious because one of ordinary skill in the art would be motivated to protect private information (*see Barzilai et al. – Paragraph [0004]*).

19. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (US 6,546,554) in view of Kouznetsov et al. (US 6,931,546) and further in view of Barzilai et al. (US 2002/0104015).

As per **Claim 17**, the rejection of **Claim 16** is incorporated; and Schmidt et al. further disclose:

- wherein the set of authorization parameters comprises at least license keys (*see Column 14: 9-15, "... depending on each particular implementation and user configuration, these prompts may include asking the user to ... indicate acceptance of license terms."*).

However, Schmidt et al. do not disclose:

- wherein the set of authorization parameters comprises at least permission grants and privacy policy guarantees.

Kouznetsov et al. disclose:

- wherein the set of authorization parameters comprises at least permission grants (*see Column 4: 35-38, "The agent includes methods for authenticating any received requests and will only forward a request to the privileged process upon determining that the requesting application has sufficient trust."*).

Barzilai et al. disclose:

- wherein the set of authorization parameters comprises at least privacy policy guarantees (*see Paragraph [0072], "An application request handler 50 receives and processes information requests from application 36 and returns information that is provided by personal information engine 44, to the extent permitted by privacy policies."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kouznetsov et al. and Barzilai et al. into the teaching of Schmidt et al. to include wherein the set of authorization parameters comprises at

Art Unit: 2191

least permission grants and privacy policy guarantees. The modification would be obvious because one of ordinary skill in the art would be motivated to provide additional means of access authorization for the software programs.

20. **Claim 23** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (US 6,546,554) in view of Hornbuckle (US 5,388,211).

As per **Claim 23**, the rejection of **Claim 22** is incorporated; however, Schmidt et al. do not disclose:

- wherein the component is further configured to abort execution of the application if the application is not authorized for execution on the local computing system.

Hornbuckle discloses:

- wherein the component is further configured to abort execution of the application if the application is not authorized for execution on the local computing system (*see Column 13: 38-44, "... the OSP module then queries RCM 18 and verifies, through its response that RCM 18 is, in fact, connected to the target computer 14." and "... if it is not, the execution is terminated by the OSP module ..."*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hornbuckle into the teaching of Schmidt et al. to include wherein the component is further configured to abort execution of the application if the application is not authorized for execution on the local computing system. The modification

Art Unit: 2191

would be obvious because one of ordinary skill in the art would be motivated to maintain the integrity of the software product (*see Hornbuckle – Column 1: 21*).

### ***Response to Arguments***

21. Applicant's arguments with respect to Claims 1, 4, 12, 18, and 22 have been considered, but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The

Art Unit: 2191

Examiner can normally be reached on Monday through Thursday from 7:30 AM to 4:00 PM.

The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wei Zhen, can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
WEI ZHEN  
PATENT EXAMINER

QC / QC  
February 20, 2007